



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/882,505	06/15/2001	Mark L. Nelson	GAZ-057

CONFIRMATION NO. 8352

## FORMALITIES LETTER



\*OC000000006411450\*

000959  
LAHIVE & COCKFIELD  
28 STATE STREET  
BOSTON, MA 02109

Date Mailed: 08/10/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 710 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).*
- Total additional claim fee(s) for this application is \$278.
  - \$198 for 11 total claims over 20.
  - \$80 for 1 independent claims over 3 .
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 1118.**

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

03/21/2002 HN00R1 00000074 09882505

02 FC:101	740.00 OP
03 FC:105	130.00 OP
04 FC:102	84.00 OP
05 FC:103	198.00 OP



LAHIVE  
&  
COCKFIELD  
L L P

COUNSELLORS AT LAW  
28 STATE STREET  
BOSTON, MASSACHUSETTS 02109-1784  
TELEPHONE (617) 227-7400  
FAX (617) 742-4214  
lc@lahive.com

JOHN A. LAHIVE, JR. (1928-1997)  
THOMAS V. SMURZYNSKI  
RALPH A. LOREN  
GIULIO A. DeCONTI, JR.  
ANN LAMPORT HAMMITTE  
ELIZABETH A. HANLEY  
AMY BAKER MANDRAGOURAS  
ANTHONY A. LAURENTANO  
KEVIN J. CANNING  
JANE E. REMILLARD  
DeANN FORAN SMITH  
PETER C. LAURO  
JEANNE M. DiGIORGIO  
DEBRA J. MILASINCIC, Ph.D.  
DAVID J. RIKKERS  
DAVID R. BURNS  
JOHN S. CURRAN  
SEAN D. DETWEILER

CYNTHIA L. KANIK, Ph.D.  
MEGAN E. WILLIAMS, Ph.D.  
RICHANAND  
MICHAEL PHILLIPPS \*  
LISA M. DIROCCO  
HATHAWAY P. RUSSELL \*\*  
MARIA LACCOTRIPE ZACHARAKIS, Ph.D.  
PETER A. DIMATTIA  
VINCENT P. LOCCISANO  
MERIDETH C. ARNOLD

SENIOR COUNSEL  
JAMES E. COCKFIELD

OF COUNSEL  
JEREMIAH LYNCH  
WILLIAM A. SCOFIELD, JR.  
SIBLEY P. REPPERT

PATENT AGENTS  
THEODORE R. WEST  
SHAYNE Y. HUFF, Ph.D.  
DANIEL B. KO

TECHNICAL SPECIALISTS  
CYNTHIA M. SOROOS  
PETER W. DINI, Ph.D.  
EUIHOON LEE  
JENNIFER K. ROSENFIELD  
ALLAN TAMESHTIT, Ph.D.  
CATHERINE E. McPHERSON  
ERIC F. WAGNER, Ph.D.  
SHAHID HASAN, Ph.D.  
JACOB G. WEINTRAUB  
JONATHAN M. SPARKS, Ph.D.  
CRISTIN E. HOWLEY, Ph.D.

\* Admitted in NY only  
\*\* Admitted in TX only

March 11, 2002

COPY

Box Missing Parts  
Commissioner for Patents  
Washington, D.C. 20231

Re: U.S. Patent Application Serial No. 09/882,505  
Title: *7-Phenyl Substituted Tetracycline Compounds*  
Inventor: Mark L. Nelson, Glen Rennie and Darrell Koza  
Filed: June 15, 2001  
Our Ref: GAZ-057

Dear Sir:

I enclose herewith for filing in the above-identified application the following:

1. Response to Notice To File Missing Parts of Nonprovisional Application (2 pages, in duplicate);
2. Three (3) Executed Declarations, Petitions and Powers of Attorney (6 pages each);
3. Copy of the Formalities Letter (1 page);
4. Request for Five-Month Extension of Time (1 page, in duplicate); and
5. Checks for \$1,152.00 (missing parts) and \$1,960.00 (extension of time);
6. An acknowledgement postcard.

Please charge any underpayments or credit any overpayments to our Deposit Account No. 12-0080. The undersigned requests any extensions of time necessary to respond. A duplicate of this sheet is enclosed.

I hereby certify that this correspondence is deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Box Missing Parts, Washington, DC 20231 on:

March 11, 2002  
Date  
  
Cynthia L. Kanik, Esq., Reg. No. 37,320

Respectfully submitted,

Cynthia L. Kanik, Reg. No. 37,320  
for Elizabeth A. Hanley, Reg. No. 33,505

EAH:CMS:bjj  
Enclosures

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: Mark L. Nelson, Glen  
Rennie and Darrell Koza

Serial No.: 09/882,505

Filed: June 15, 2001

For: 7-PHENYL SUBSTITUTED TETRACYCLINE  
COMPOUNDS

Attorney Docket No.: GAZ-057

Group Art Unit: 1614

Examiner: Not Assigned

Box Missing Parts  
Commissioner for Patents  
Washington, D.C. 20231

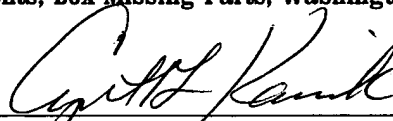
**Certificate of First Class Mailing**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Box Missing Parts, Washington, D.C. 20231 on the date set forth below.

March 11, 2002

Date of Signature and of Mail Deposit

By:

  
Cynthia L. Kanik, Esq.  
Registration No. 37,320  
Attorney for Applicants

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF  
NONPROVISIONAL APPLICATION**

Dear Sir:

Responsive to the Notice to File Missing Parts of Nonprovisional Application dated August 10, 2001, Applicants' attorney submits herewith three (3) executed Declarations, Petitions and Powers of Attorney for Patent Application for the above-identified patent application. A check in the amount of \$1,152.00 is enclosed to cover the basic filing fee

U.S.N.N. 09/882,505  
Attorney Docket No.: GAZ-057

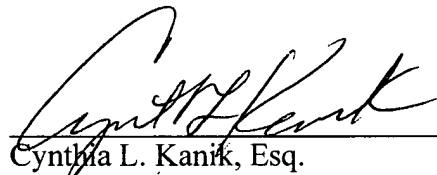
Group Art Unit: 1614

(\$740.00), additional claim fee (\$282.00) and surcharge (\$130.00) owed by Applicants based on large entity status. A copy of the Formalities Letter is also enclosed.

The Commissioner is hereby authorized to charge payment of any fees under 37 C.F.R. 1.16 and 1.17 during the pendency of this application or credit any overpayment to Deposit Account No. 12-0080.

Please charge any underpayments or credit any overpayments associated with this communication to our Deposit Account No. 12-0080. A duplicate of this letter is enclosed.

Respectfully submitted,



Cynthia L. Kanik, Esq.  
Reg. No. 37,320 *for*  
Elizabeth A. Hanley, Esq.  
Reg. No. 33,505  
Attorney for Applicants

LAHIVE & COCKFIELD, LLP  
28 State Street  
Boston, MA 02109  
Tel. (617) 227-7400

Dated: March 11, 2002